

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

GAIA ETHNOBOTANICAL, LLC,  
Plaintiff(s),  
v.  
T1 PAYMENTS, LLC, et al.,  
Defendant(s).

Case No. 2:22-cv-01046-CDS-NJK

**Order**

[Docket No. 76]

Pending before the Court is a motion to withdraw as counsel for Defendant T1 Payments filed by the law firm of McDonald Carano LLP. Docket No. 76.

“An attorney may not withdraw as counsel except by leave of court.” *Darby v. City of Torrance*, 810 F. Supp. 275, 276 (C.D. Cal. 1992). Whether to allow withdrawal of counsel is an issue entrusted to the broad discretion of the Court. *LaGrand v. Stewart*, 133 F.3d 1253, 1269 (9th Cir. 1998); *see also Whiting v. Lacara*, 187 F.3d 317, 320 (2d Cir. 1999). In exercising that discretion, courts may consider a number of factors, including: “(1) the reasons why withdrawal is sought; (2) the prejudice withdrawal may cause to other litigants; (3) the harm withdrawal might cause to the administration of justice; and (4) the degree to which withdrawal will delay the resolution of the case.” *Williams v. Cnty. of Fresno*, 562 F. Supp. 3d 1032, 1035 (E.D. Cal. 2021).

The instant motion consists entirely of boilerplate assertions, *see* Docket No. 76 at 2, so the Court declines to exercise its discretion to permit withdrawal at this time.

Accordingly, the motion to withdraw is **DENIED** without prejudice.

IT IS SO ORDERED.

Dated: August 1, 2025

  
\_\_\_\_\_  
Nancy J. Koppe  
United States Magistrate Judge